IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Writ Petition No.3823 of 2006

Shri Naresh Maruti Singanapure Petitioner

Vs.

Tukaram Nivrutti Singanapure & ors. Respondents

Mr.R.V.More for petitioner.

Mr.J.Shekhar for Resp.No.1.

CORAM: B.H.MARLAPALLE,J.

August 02, 2006.

P.C.

. Heard Mr.More, the learned counsel for the petitioner and Mr.J.Shekhar, the learned counsel for the respondents. No interference is called for in the impugned orders except to direct that the oral commitment given by the respondents not to construct wall till today shall be continued for another four weeks and in the meanwhile the cadastral survey shall be completed by the concerned officer. If the respondents proceed to construct the wall after this cadastral survey, it will be at their risk and the lower Appellate Court shall be competent to pass appropriate orders if it is noticed that the

construction done is by way of encroachment.

. Petition is disposed off accordingly. Writ to go to the lower appellate Court forthwith.

(B.H.MARLAPALLE,J.)